

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA :

- v. - :

CARLOS RIVERA, :

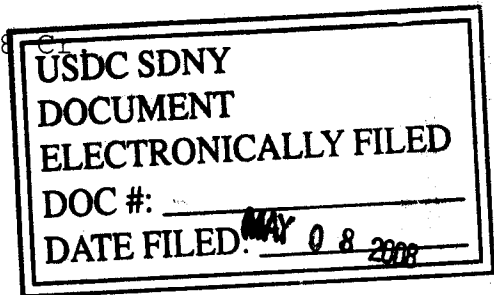
Defendant. :

- - - - -X

COUNT ONE

08 CRIM 407

INDICTMENT



The Grand Jury charges:

1. On or about April 17, 2008, in the Southern District of New York and elsewhere, CARLOS RIVERA, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 100 grams and more of mixtures and substances containing a detectable amount of heroin.

(Title 21, United States Code, Sections 812, 841(a)(1), and  
841(b)(1)(B).)

FORFEITURE ALLEGATION

2. As a result of committing the controlled substance offense alleged in Count One of this Indictment, CARLOS RIVERA, the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to

facilitate the commission of the violation alleged in Count One of this Indictment.

Substitute Assets Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of CARLOS RIVERA, the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;


(c) has been placed beyond the jurisdiction of the Court;

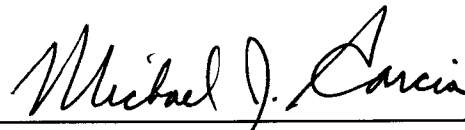
(d) has been substantially diminished in value;  
or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)

  
\_\_\_\_\_  
FOREPERSON

  
\_\_\_\_\_  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

---

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA

- v. -

CARLOS RIVERA,

Defendant.

---

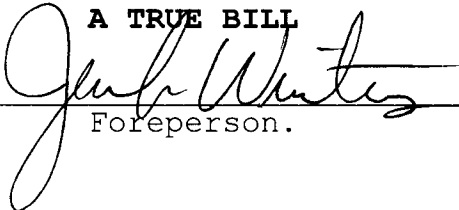
INDICTMENT

08 Cr.

(21 U.S.C. §§ 841(a)(1), and  
841(b)(1)(B))

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

  
Foreperson.

PC  
5/8/08

Indictment filed, case assigned  
to Judge Preska.

F. Mass, USMJ